

**DINSMORE
& SHOHL LLP****FACSIMILE TRANSMITTAL**

November 14, 2003

from **JOAN N. WILLIAMS**

Direct: 937-449-6423 / Fax: 937-223-0724 / joan.williams@dinslaw.com

To: Examiner James M. Mitchell, Art Unit 2815**Firm:** Commissioner for Patents**Fax Number:** 703-872-9318**Client Number:** MIO 0072 VA/40509.175**Pages:** 5
(including cover)**Comments:** OFFICIALOFFICIALOFFICIAL**RECEIVED
CENTRAL FAX CENTER**

NOV 14 2003

OFFICIAL**U.S. Patent Application Serial No. 09/992,580**

If there are any problems in receiving this transmission, please call (937) 223-2050 immediately.
Thank you.

Notice

This message is intended only for the use of the individuals or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this notice is not the intended recipient or the employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this notice in error, please notify us immediately by telephone and return these papers to us at the address below via first class mail.

Dayton • One Dayton Centre • One South Main Street, Suite 500 • Dayton, OH 45402-2030 • Phone: (937) 223-2050

OFFICIAL

OFFICIAL

RECEIVED
CENTRAL FAX CENTER

NOV 14 2003

OFFICIAL

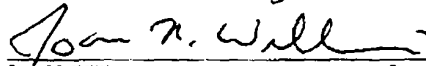
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Applicants : Salman Akram
Serial No. : 09/992,580
Filed : November 16, 2001
Title : **DIE STACKING SCHEME**
Docket No. : MIO 0072 VA
Examiner : James M. Mitchell
Art Unit : 2815
Confirm. No. : 9954

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and
Trademark Office Fax. No. 703-872-9318 on November 14, 2003.



Joan N. Williams

Reg. No. 52,364

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

RESPONSE TO ELECTION REQUIREMENT

This paper is being filed in response to the Office action mailed November 6, 2003
notifying applicants that claims 23, 24, 52, 54, and 56 presently pending in the application are
subject to a restriction requirement.

App. Scr. No. 09/992,580
Atty. Dkt. No. MIO 0072 VA

IN THE ELECTION REQUIREMENT

In the Office Action, the Examiner required a restriction between the following different inventions:

Species 1: Fig. 1; and
Species 2: Fig. 2.

Applicant hereby provisionally elects, WITH TRAVERSE, the invention identified by the Examiner as Species 2. Applicant submits that claims 24, 54, and 56 read thereon. Applicant traverses the present election requirement for the reasons set forth below.

App. Ser. No. 09/992,580
Atty. Dkt. No. MIO 0072 VA

REMARKS

With respect to the requirement to elect among the Species identified by the Examiner, applicant believes that the Species restriction as presented is improper. According to 35 U.S.C. §121, when a requirement for restriction is made, an Examiner must state the reasons why the inventions as claimed are independent and distinct. According to the MPEP §816, "[t]he particular reasons relied on by the examiner for holding that the inventions as claimed are either independent or distinct should be concisely stated. A mere statement of conclusion is inadequate. The reasons upon which the conclusion is based should be given." The Examiner has made no statement of reasons why the inventions claimed are independent and distinct. The Examiner has given no particular reasons for insisting upon the election among the identified Species.

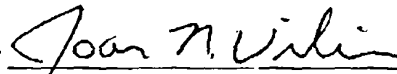
App. Ser. No. 09/992,580
Atty. Dkt. No. MIO 0072 VA

CONCLUSION

Applicant respectfully submits that the Species restriction requirement is improper for the above reasons. Applicant respectfully requests that the Species restriction requirement be withdrawn.

Applicants respectfully submit that, in view of the above remarks, the application is now in condition for allowance. The Examiner is encouraged to contact the undersigned to resolve efficiently any formal matters or to discuss any aspects of the application or of this response. Otherwise, early notification of allowable subject matter is respectfully solicited.

Respectfully submitted,
DINSMORE & SHOHL LLP

By 
Joan N. Williams
Registration No. 52,364

One Dayton Centre
One South Main Street, Suite 500
Dayton, Ohio 45402-2023
(937) 223-2050
Facsimile: (937) 223-0724
E-mail: joan.williams@dinslaw.com